

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 15

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte BRUCE TOGNAZZINI

Appeal No. 1999-2841
Application 08/655,133

MAILED

JUN 29 2001

ORDER REMANDING TO EXAMINER

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

An Information Disclosure Statement (IDS) (Paper No. 10) was filed March 22, 1999. There is no indication in the record that the IDS was considered according to the criteria set forth in 37 CFR §§ 1.97 and 1.98 (1994). A communication notifying applicant of the primary examiner's decision is required. See Manual of Patent Examining Procedure (MPEP) § 609(c) (7th Ed., Rev. 1, Feb. 2000).

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Accordingly, it is

ORDERED that the application is remanded to the examiner for resolution of the following issues:

- consideration of the IDS (Paper No. 10, filed March 22, 1999);
- appropriate notification to applicant of the action taken; and
- for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

BY: 

KIMBERLY JORDAN

Program and Resource Administrator
(703) 308-9797

KJ:svt

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McDermott Will & Emery
600-13th Street, N.W.
Washington, D.C. 20005-3096